

THIRTEENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Rush Harrison, First Baptist Church, Livingston, Tennessee.

Representative Windle led the House in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Buck; court case.

Representative Garrett; weather conditions.

Representative Johnson; illness.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 92

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

PRESENT IN CHAMBER

Representative(s) Williams (Williamson) was/were recorded as being present in the Chamber.

THURSDAY, FEBRUARY 25, 1993 -- THIRTEENTH LEGISLATIVE DAY

REPORT OF COMMITTEE ON CALENDAR AND RULES  
February 25, 1993

The Calendar and Rules Committee has met and set the following bill(s) on the Regular Calendar for Monday March 1, 1993: House Bill(s) No(s). 523, 5, 467 and 43.

The Committee set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 1, 1993: House Bill(s) No(s). 4, 203, 13 and 19.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

\*House Joint Resolution No. 0077 -- Memorials, Government Officials -- Directs department of education to require schools to teach moral precepts. by \*Crain, \*Cross, \*Davis Ronnie, \*Huskey, \*Ridgeway, \*Collier.

Education Committee.

RESOLUTIONS

Pursuant to Rules No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for Monday March 1, 1993:

House Joint Resolution No. 0080 -- Memorials, Professional Achievement -- Crystal Arleen Fields. by \*Dixon, \*DeBerry.

SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)

Pursuant to Rule No. 17, the resolution(s) listed was/were noted as being placed on the Consent for Monday, March 1, 1993:

Senate Joint Resolution No. 0069 -- Memorials, Public Service -- Dr. Leonard Markham.

Senate Joint Resolution No. 0074 -- Memorials, Personal Achievement -- Susie Person, Queen Sekhmet, 1993 River Carnival.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

\*Senate Joint Resolution No. 0072 -- Naming and Designating -- Martin Luther King, Jr. Solidarity Day, March 14, 1993.

State and Local Government Committee.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 0079 -- Censorship --** Protects dissemination of patriotic information in schools. Amends TCA, Title 49, Ch. 6, Pt. 10. (HB 0264).

**\*Senate Bill No. 0109 -- Sunset Laws --** State board for licensing alarm systems contractors, June 30, 2001. Amends TCA, Title 4, Ch. 29; Title 62, Ch. 32. (HB 0332).

**\*Senate Bill No. 0143 -- Motor Vehicles, Titling and Registration --** Authorizes issuance of special license plates for alumni of the University of Florida. Amends TCA, Title 55, Ch. 4. (HB 0096).

**\*Senate Bill No. 0243 -- Veterans --** Authorizes motor vehicle registration fee exemption for holders of purple heart. Amends TCA 55-4-239. (HB 0897).

**\*Senate Bill No. 0374 -- Motor Vehicles, Titling and Registration --** Requires agencies to document request for information about motor vehicle records. Amends TCA, Title 55, Ch. 2. (HB 0452).

**\*Senate Bill No. 0380 -- Game and Fish Laws --** Allows Tennessee residents between ages 13 and 15 to fish without license. Amends TCA 70-2-201. (HB 0430).

**Senate Bill No. 0472 -- Game and Fish Laws --** Exempts residents permanently restricted to wheelchairs from payment of sport fishing license fees. Amends TCA, Title 70. (\*HB 0052).

**\*Senate Bill No. 0512 -- Banks and Financial Institutions --** Gives commissioner general rule making authority, including authority to establish schedule of fees to be charged for applications. Amends TCA 45-1-107. (HB 0555).

**\*Senate Bill No. 0891 -- Gas, Petroleum Products, Volatile Oils --** Enacts "Used Oil Collection Act of 1993". Amends TCA, Title 67; Title 68, Ch. 211. (HB 0591).

**\*Senate Bill No. 1311 -- Taxes, Sales --** Extends 1992 1/2 cent sales tax increase for three years; earmarks revenues for K-12 education. Amends TCA 67-6-202--205, 221. (HB 1084).

CONSENT CALENDAR

House Joint Resolution No. 0075 -- Memorials, Public Service --  
Marsha Berger, Silver Medallion for Outstanding Service.

House Joint Resolution No. 0076 -- Memorials, Public Service --  
Annie Mae Spoone, Educator.

House Joint Resolution No. 0078 -- Memorials, Public Service --  
Children's Home - Chambliss Shelter.

Senate Joint Resolution No. 0058 -- Memorials, Death -- Paul B.  
Stephens.

Senate Joint Resolution No. 0059 -- Memorials, Public Service --  
"Winnette-Ayers Park".

Senate Joint Resolution No. 0060 -- Memorials, Death -- A. L.  
Russell.

Senate Joint Resolution No. 0061 -- Memorials, Death -- Dr.  
Maurice L. Connell.

Senate Joint Resolution No. 0063 -- Memorials, Personal Occasion  
-- Ms. Bertha Michael, 105th Birthday.

Senate Joint Resolution No. 0064 -- Memorials, Public Service --  
J. William Pope, Jr.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent  
Calendar:

Senate Joint Resolution No. 64: by Rep. Chiles.

Pursuant to Rule No. 50, Rep. Phillips moved that all House  
Bills having companion Senate Bills and are on the Clerk's desk be  
conformed and substituted for the appropriate House Bill, all Senate  
and House Bills on the Consent Calendar be passed on third and final  
consideration, all House Resolutions and House Joint Resolutions be  
adopted, and all Senate Joint Resolutions on the Consent Calendar be  
concurrent in, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong,  
Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Byrd, Callicott,  
Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier,  
Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson,  
Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove,  
Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones  
U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles,

Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

### REGULAR CALENDAR

\*House Bill No. 0389 -- Motor Vehicles, Titling and Registration -- Provides that if person's motor vehicle is registered in county that does not have wheel tax, such person may apply for renewal of such registration in any other county that does not have wheel tax. Amends TCA 5-8-102, 55-4-105.

Further consideration of House Bill No. 389, previously considered on February 18, 1993, at which time it was reset to the Calendar for February 25, 1993.

Rep. Wood moved that House Bill No. 389 be re-referred to the Calendar and Rules Committee, which motion prevailed.

### CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

### REGULAR CALENDAR, CONTINUED

House Bill No. 0639 -- Animals -- Deletes antiquated animal health statutes; specifies present law concerning animal disease control. Amends TCA, Title 44, Ch. 2.

Rep. Purcell moved that House Bill No. 639 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Owens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier,

Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 0641 -- Energy -- Updates Energy Conservation Code to include Model Energy Code, 1992 edition. Amends TCA, Title 13, Ch. 19.**

Rep. Purcell moved that **House Bill No. 641** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	88
Noes. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood -- 88.

Representatives voting no were: Allen -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 0642 -- Banks and Financial Institutions -- Reformulates calculation of "banking fee" assessed against banks; increases fee paid in lieu of banking fee by nondepository trust companies from \$300 to \$1,000; removes cap on examination fee on such companies; deletes assessment fees for branch banks and offices. Amends TCA 45-1-118.**

Rep. Purcell moved that **House Bill No. 642** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. . . . .	91
Noes. . . . .	1
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Ritchie -- 1.

Representatives present and not voting were: West, Whitson -- 2.

A motion to reconsider was tabled.

House Bill No. 0643 -- Taxes, Sales -- Authorizes sales tax credit for sales taxes paid other states on interstate telecommunications charges also taxed in Tennessee; expands definitions relative to telecommunications. Amends TCA 67-6-102, 67-6-507.

Rep. Purcell moved that House Bill No. 643 be passed on third and final consideration.

Amendment No. 1

Amend House Bill No. 643 by deleting the word "marathon" in the second sentence of the amendatory language of the original Section 2 and by substituting instead the word "maritime".

Rep. Purcell moved to adopt Amendment No. 1, which motion prevailed.

Rep. Purcell moved that House Bill No. 643, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Byrd, Callicott,

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Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood -- 93.

A motion to reconsider was tabled.

House Bill No. 0646 -- Employees, Employers -- Revises Employment Security Law. Amends TCA 50-7-207, 210, 50-7-301--303, 305, 50-7-403.

Rep. Purcell moved that House Bill No. 646 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 0652 -- Taxes, Inheritance Gift -- Directs that waiver by commissioner of revenue not required to permit surviving spouse to transfer certain property free of certain tax liens. Amends TCA 67-8-417.

Rep. Purcell moved that House Bill No. 652 be passed on third and final consideration, which motion prevailed by the following vote:



Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

\*House Bill No. 0204 -- Taxes, Privilege -- Adds construction managers to those persons licensed by the state required to pay \$200 professional privilege tax. Amends TCA 67-4-1702.

Rep. Kisber moved that House Bill No. 204 be passed on third and final consideration.

Amendment No. 1

Amend House Bill No. 204 by deleting the original Section 1 in its entirety and by substituting instead the following:

Tennessee Code Annotated, Section 67-4-1702, is amended by deleting the section in its entirety.

Rep. Allen moved to adopt Amendment No. 1.

Rep. Kisber moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	47
Noes. . . . .	38
Present and not voting. . . . .	2

Representatives voting aye were: Armstrong, Bell, Brooks, Cole

(Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jones R (Shelby), Kisber, Lewis, Love, McKee, Miller, Mires, Moore, Napier, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Ritchie, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Williams (Shelby), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 47.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Bragg, Brown, Byrd, Callicott, Chumney, Coffey, Cole (Carter), Gunnels, Haley, Halteman Harwell, Hassell, Haun, Joyce, Kent, Knight, Liles, McAfee, McDaniel, Meyer, Odom, Peroulas Draper, Ramsey, Shirley, Stamps, Stockburger, Thompson, Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Williams (Williamson), Wood -- 38.

Representatives present and not voting were: Arriola, Jones U (Shelby) -- 2.

Amendment No. 2

Amend House Bill No. 204 section and by renumbering the subsequent section accordingly:

Section \_\_\_\_ Tennessee Code Annotated, Section 67-4-1702(a), is amended by adding the following new subdivision to be appropriately numbered:

( ) Members of the General Assembly.

Rep. Allen moved to adopt Amendment No. 2.

Rep. Crain moved that Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes. . . . .	34
Noes. . . . .	53

Representatives voting aye were: Armstrong, Arriola, Bell, Boyer, Brooks, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Givens, Head, Lewis, Love, Miller, Mires, Moore, Napier, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Shirley, Stulce, Tindell, Turner (Shelby), Winningham, Wix -- 34.

Representatives voting no were: Allen, Anderson, Bittle, Bragg, Brown, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Davis, Duer, Ferguson, Fowlkes, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Herron, Hillis, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Odom, Owenby, Peroulas Draper, Ramsey, Ritchie, Robinson, Stamps, Stockburger, Thompson, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Williams (Williamson), Windle, Wood, Mr. Speaker Naifeh -- 53.

Rep. Kisber moved the previous question, which motion prevailed by the following vote:

Ayes	76
Noes	8
Present and not voting	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Byrd, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Dixon, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Halteman Harwell, Hargrove, Hassell, Hillis, Jones R (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Ridgeway, Rinks, Ritchie, Robinson, Shirley, Stamps, Stockburger, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood -- 76.

Representatives voting no were: Callicott, DeBerry, Duer, Haley, Haun, Rhinehart, Thompson, Williams (Shelby) -- 8.

Representatives present and not voting were: Kernell -- 1.

On motion, Amendment No. 2 was adopted by the following vote:

Ayes	84
Noes	6
Present and not voting	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odom, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Ridgeway, Rinks, Ritchie, Robinson, Severance, Stamps, Stockburger, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 84.

Representatives voting no were: Dixon, Napier, Rhinehart, Shirley, Stulce, Turner (Shelby) -- 6.

Representatives present and not voting were: DeBerry -- 1.

Rep. Kisber moved that House Bill No. 204, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	79
Noes. . . . .	15

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Haun, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McKee, Miller, Mires, Moore, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Ridgeway, Rinks, Ritchie, Robinson, Severance, Stamps, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 79.

Representatives voting no were: Boyer, Dixon, Hassell, Head, Liles, McDaniel, Meyer, Napier, Pruitt, Rhinehart, Shirley, Stockburger, Stulce, Thompson, Turner (Shelby) -- 15.

A motion to reconsider was tabled.

House Bill No. 0556 -- Banks and Financial Institutions -- Gives commissioner discretion to determine when advance notice of examination should be provided state bank. Amends TCA, Title 45, Ch. 2, Pts. 16, 17.

Rep. Rinks moved that House Bill No. 556 be passed on third and final consideration.

Rep. Rinks moved that Amendment No. 1 be withdrawn, which motion prevailed.

Amendment No. 2

AMEND House Bill No. 556 by inserting in the amendatory language of Section 1 between the words "notified" and "in" the words "not more than three (3) business days".

AND FURTHER AMEND by deleting Section 2 and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 45-2-1710, is amended by deleting the section in its entirety and by substituting instead the following:

(a) If the department notifies a bank of an examination, a department employee who before the notification of the visitation gives notice or information to any officer or agent or employee of a bank as to when a bank will be visited for examination commits a criminal offense.

(b) If the department does not notify a bank of an examination, a department employee who before a visitation gives notice or information to any officer or agent or employee of a bank as to when a bank will be visited for examination commits a criminal offense.

(c) A violation of this section is a Class A misdemeanor.

Rep. Haun moved to adopt Amendment No. 2, which motion prevailed.

Rep. Rinks moved that House Bill No. 556, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	1
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Turner (Shelby) -- 1.

Representatives present and not voting were: West -- 1.

A motion to reconsider was tabled.

#### RULES SUSPENDED

Rep. Rhinehart, moved that the rules be suspended, so that Senate Joint Resolution No. 64, having being objected on the Consent Calendar in error, could be considered at this time. Seconded by Rep. Chiles, the motion prevailed.

Senate Joint Resolution No. 0064 -- Memorials, Public Service -- J. William Pope, Jr.

On motion, the rules were suspended for the immediate concurrence in the resolution.

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On motion of Rep. Rhinehart, the resolution was concurred in.

A motion to reconsider was tabled.

### UNFINISHED BUSINESS

### HOUSE BILL RETURNED

There being no objection, Rep. Anderson asked that the Clerk be directed to return House Bill No. 444 to the Senate as requested.

### SPONSORS ADDED

Under Rule No. 43, the following member(s) was/were permitted to add their name(s) as sponsor(s) as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 212: Rep(s). Jackson as prime sponsor(s).

House Bill No. 1110: Rep(s). Walley as prime sponsor(s).

House Bill No. 1111: Rep(s). Walley as prime sponsor(s).

House Bill No. 1127: Rep(s). Bell and Lewis as prime sponsor(s).

House Bill No. 1413: Rep(s). Walley as prime sponsor(s).

House Bill No. 1458: Rep(s). Walley as prime sponsor(s).

House Bill No. 1532: Rep(s). Walley as prime sponsor(s).

House Bill No. 1533: Rep(s). Walley as prime sponsor(s).

### SIGNED

February 25, 1993

The Speaker announced that he had signed the following: House Bill(s) No(s). 391; also, House Joint Resolution(s) No(s). 51, 54, 55 and 79.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

### MESSAGE FROM THE SENATE

February 25, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s) 59 and 60; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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**MESSAGE FROM THE SENATE**

February 25, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 24; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS**

February 25, 1993

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 204, 556, 639, 641, 642, 643, 646 and 652; also, House Joint Resolution(s) No(s). 75, 76 and 78.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

February 25, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 56, 92, 93, 94, 95, 96, 97, 103, 107, 110, 111, 112, 113, 122, 264, 325, 326, 443 and 834; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

February 25, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 391 and 557; also, House Joint Resolution(s) No(s). 43, 49, 51, 52, 54, 55, 57, 64 and 79; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

February 25, 1993

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 391 and 557; also, House Joint Resolution(s) No(s). 43, 49, 51, 52, 54, 55, 57, 64 and 79.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

February 25, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate

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Joint Resolution(s) No(s). 76, 77, 78 and 79; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 0076 -- Memorials, Public Service --** Garland King, Shelbyville fire chief. by \*Womack.

**Senate Joint Resolution No. 0077 -- Memorials, Public Service --** Senator Riley C. Darnell, Clarksville. by \*Henry, Albright, Atchley, Burks, Cohen, Cooper, Crowe, Crutchfield, Davis, Elsea, Ford, Gilbert, Greer, Hamilton, Harper, Haynes, Holcomb, Jordan, Koella, Kyle, Leatherwood, McKnight, McNally, O'Brien, Patten, Person, Rice, Rochelle, Springer, Wallace, Womack, Wright, Wilder.

**Senate Joint Resolution No. 0078 -- Memorials, Death --** James Irwin Bell, Hardin County. by \*Wilder, \*O'Brien, Henry.

**Senate Joint Resolution No. 0079 -- Memorials, Congratulations --** Wilson County Fair Board of Directors. by \*Rochelle.

**MESSAGE FROM THE SENATE  
February 25, 1993**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 53, 81, 133, 154, 180, 235, 381, 413 and 986; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 0053 -- Parks, Natural Areas Preservation --** Enacts "Tennessee Adopt A Park Program Act of 1993". Amends TCA, Title 11, Ch. 1, Pt. 24. by \*Cohen, \*Crowe.

**\*Senate Bill No. 0081 -- Marriage --** Authorizes county commissioners to solemnize marriages in any county in state. Amends TCA 36-3-301. by \*Wallace.

**\*Senate Bill No. 0133 -- Fiscal Review Committee --** Revises composition of fiscal review committee. Amends TCA, Title 3, Ch. 7. by \*Rochelle, McKnight.

**\*Senate Bill No. 0154 -- County Officers --** Increases fee from \$50.00 to \$65.00 that Wilson County sheriff or constable can collect for attending grand jury or waiting in court. Amends TCA, Title 8, Ch. 21. by \*Rochelle.

**Senate Bill No. 0180 -- Licenses --** Directs and establishes new guidelines in the process, disclosure, and regulation of licenses and other information within county clerk's office. Amends TCA 8-6-109; Title 8, Ch. 16, 36-3-18; Title 57, Ch. 5, Pt. 1; Title 68, Ch. 3, Pt. 2. by \*Henry, \*Cohen.

**Senate Bill No. 0235 -- Taxes, Real Property --** Authorizes



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county trustee to designate bank to act as collection agent for taxes; authorizes bank to accept deposits of county and municipal property taxes. Amends TCA 67-5-1801. by \*Koella, \*Crowe.

**\*Senate Bill No. 0381 -- Utilities, Utility Districts --** Modifies method of selecting trustees for board of directors of Citizens Gas Utility District of Scott and Morgan counties. Amends Chapter 225, Public Acts of 1959, as amended. by \*O'Brien.

**\*Senate Bill No. 0413 -- Election Laws --** Authorizes use of electronic transmission of voting materials for military and overseas personnel. Amends TCA, Title 2. by \*Crowe.

**\*Senate Bill No. 0986 -- Utilities, Utility Districts --** Revises definitions relative to purposes of rural electric and community service cooperatives. Amends TCA, Title 65, Ch. 25. by \*Rochelle, \*Haynes, \*Springer.

**ENROLLED BILLS  
February 25, 1993**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 24, 59 and 60.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
February 25, 1993**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 56, 92, 93, 94, 95, 96, 97, 103, 107, 110, 111, 112, 113, 122, 264, 325, 326, 443 and 834.

**MESSAGE FROM THE SENATE  
February 25, 1993**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s), 157; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 0157 -- Telecommunications --** Exempts telecommunication services paid for, but not billed or charged to service address in Tennessee from retail sales tax. Amends TCA 67-6-102. by \*Rochelle.

**MESSAGE FROM THE SENATE  
February 25, 1993**

MR. SPEAKER: I am directed to transmit to the House, Senate

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Joint Resolution(s) No(s). 58, 59, 60, 61, 63 and 64; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED  
February 25, 1993

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 24, 59 and 60.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR  
February 25, 1993

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 601, with his approval.

DAVID H. WELLES, Counsel to the Governor.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 94

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, March 1, 1993.